

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY - NEWARK**

UNITED STATES OF AMERICA,

**Consent Order of Release Upon
Conditions**

-vs-

**BRAULIO ARIAS RIVERA,
Defendant.**

2010Cr802(DMC)

Upon the consent of the Parties hereto, and the conditions set forth below, and upon a finding that release on personal recognizance or unsecured bond will not reasonably assure the appearance of the defendant or the safety of the community, it is hereby ORDERED:

that the defendant, Braulio Arias-Rivera, shall be released pending trial pursuant to 18 U.S.C. Section 3142(c), upon the following conditions:

- (a) The defendant shall remain in the custody of Braulio Arias and Zoila Arias, both of whom agree to assume supervision of the defendant and will reasonably assure the appearance of the defendant as required and that he will not pose a danger to the community;
- (b) The defendant shall surrender his passport to pre-trial services and may not apply for a replacement passport;
- (c) The defendant shall be under the supervision of pre-trial services, and shall report regularly to pre-trial services;
- (d) The defendant shall refrain from possessing a firearm, destructive device or

other dangerous weapon;

(e) The defendant shall refrain from excessive use of alcohol, or any use of a narcotic drug or other controlled substance as defined in section 102 of the Controlled Substances Act, without a prescription by a licensed medical practitioner. The defendant shall further agree to drug and alcohol testing to be performed by pre-trial services upon the request of pre-trial services;

(f) Braulio Arias and Zoila Arias shall execute an agreement to forfeit, upon the defendant's failing to appear as required, \$300,000.00 by bond secured upon the equity held in following property: The property located at 200 Marshal Street, Elizabeth New Jersey, and a \$15,000.00 cash deposit to be made with the Court through pre-trial services;

(h) The defendant shall be confined to home detention with electronic monitoring provided by pre-trial services. The defendant shall not leave such residence except to travel to court, meetings with his attorneys, medical treatments and activities pre-approved by pre-trial services;

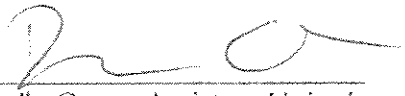
(h) The defendant shall not travel outside of New Jersey for any reason without pre-approval from the Court and pre-trial services.

(i) The defendant shall not commit a Federal, State or local crime during the period of release and shall cooperate with the collection of a DNA sample if such is authorized under Section 3 of the DNA Analysis Backlog Elimination Act;

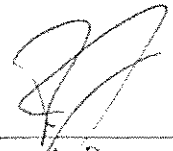
(j) The defendant may work at a place of employment pre-approved by pre-trial services, under conditions and restrictions, including work schedules, set forth by pre-trial services. Defendant may travel to and from work and may not travel to any

other location without the express consent of pre-trial services.

The defendant is further advised that failure to abide by the conditions set forth above and conditions set forth by pre-trial services shall result in immediate revocation of bail, the forfeiture of all secured and cash property listed above, and the immediate issuance of a warrant for the defendant's arrest. Further, the defendant is advised that he may not have any contact with any witnesses, jurors, or officers of the Court during his release or he may be subject to prosecution pursuant to Sections 1503, 1510, 1512 and 1513 of the Bail Reform Act.



Brooke Carey, Assistant United
States Attorney



Ramon A. Pagan, Esq.
Counsel for Defendant

Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. § 3148, and a prosecution for contempt as provided in 18 U.S.C. § 401 which could result in a possible term of imprisonment and/or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. § 1503 makes it a criminal offense punishable by up to five years in jail and a

Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

Braulio Arias-ivera, Defendant

SO ORDERED:

2/14/11

Honorable Dennis M. Cavanaugh